

SENATE BILL 1692

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 39;  
Title 40 and Title 41, relative to sentence credits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by deleting subsections (b) through (g) and substituting instead the following:

(b) Release eligibility for each defendant sentenced as an especially mitigated offender shall occur after service of either twenty percent (20%) or thirty percent (30%) of the actual sentence imposed. The percentage of service shall be stated on the judgment order. If the order is silent, release eligibility shall occur after service of twenty percent (20%) of the actual sentence imposed.

(c) Release eligibility for each defendant sentenced as a Range I standard offender shall occur after service of thirty percent (30%) of the actual sentence imposed.

(d) Release eligibility for each defendant sentenced as a Range II multiple offender shall occur after service of thirty-five percent (35%) of the actual sentence imposed.

(e) Release eligibility for each defendant sentenced as a Range III persistent offender shall occur after service of forty-five percent (45%) of the actual sentence imposed.

(f) Release eligibility for each defendant sentenced as a career offender shall occur after service of sixty percent (60%) of the actual sentence imposed.

(g) There shall be no release eligibility for a defendant receiving a sentence of imprisonment for life without parole as a repeat violent offender.

SECTION 2. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following as a new, appropriately designated subsection:

Notwithstanding this section, a defendant sentenced under this chapter shall be authorized to earn and retain any sentence reduction credits authorized by § 41-21-236 or any other provision of law relating to sentence reduction credits. However, no sentence reduction credits earned or retained by the defendant shall operate to permit the defendant's release on parole, probation, or community correction supervision until the defendant has served until the applicable release eligibility date identified in subsections (b)-(f). Any sentence reduction credits earned and retained during that time shall be credited towards the defendant's expiration of sentence.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to offenses committed on or after such date.